

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-14386 of 2021
Date of decision:31.03.2021

Umesh Yadav

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Shakti Mehta, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Counsel for the petitioner has sought modification of the order dated 02.03.2021 (Annexure P-2) passed by the Judicial Magistrate Ist Class, Samana, whereby, while allowing the application filed by the petitioner for releasing his truck on *superdari*, the trial Court ordered furnishing of bank guarantee of Rs.1.00 lakh.

Counsel has placed reliance upon the orders dated 05.06.2020 passed in CRM-M-14229 of 2020 titled as 'Udeek Singh @ Tinku Vs. State of Punjab' and 11.01.2021 passed in CRM-M-1133 of 2021 titled as 'Suraj Khan @ Shokat Ali @ Kala' by the Co-ordinate Benches of this Court, wherein, similar conditions imposed by the trial Court were ordered to be modified.

Notice of motion.

On asking of the Court, Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. He has supported the order passed by the trial Court.

After hearing the counsel for the parties, this Court is of the view that the condition of furnishing of bank guarantee of Rs.1.00 lakh is onerous. Accordingly, the order dated 02.03.2021 is modified and it is ordered that instead of giving a bank guarantee of Rs.1.00 lakh, the petitioner shall furnish a solvent surety of the like amount. All other conditions imposed by the trial Court shall remain unaltered.

The petition is disposed of.

(SUVIR SEHGAL)
JUDGE

March 31, 2021
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No